

REMARKS

Claims 22-39 are currently pending in the present application. In the Office Action, claims 22, 25, 31, 34 and 37 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Also, claims 22-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/00161 (Miya et al.) and U.S. Patent No. 6,035,210 (Endo et al.).

The Applicants have canceled claims 22-24 and 37-39. The Applicants have also amended claims 25-26, 28-29, 31-32, and 34-35 to more particularly and distinctly point out that which the Applicants regard as the invention.

All amendments are fully supported in the specification and no new matter has been added.

Claim Rejections

35 U.S.C. §112 – Claims 22, 25, 31, 34 and 37

The Applicants have canceled claims 22 and 37. Claims 25, 31, and 34 have been amended to more particularly and distinctly point out that which the Applicants regard as the invention. The Applicants therefore respectfully request withdrawal of the Examiner's 35 U.S.C. §112 rejection.

35 U.S.C. §103(a) – Claims 22-39

The Applicants have canceled claims 22-24 and 37-39. Claims 25-26, 28-29, 31-32, and 34-35 have been amended to more particularly and distinctly point out that which the Applicants regard as the invention. Among other things, the Applicants point out in the amended claims that a single power command is utilized for a CCTrCH which includes a plurality of timeslots.

Miya illustrates an individual setting of power level for each timeslot using transmit power commands (TPC) for that timeslot or using a signal to interference ratio (SIR) measurement of that timeslot. Again, the present amended claims send a single power command for a CCTrCH which includes a plurality of time slots. Miya deals with this scenario by sending multiple individual TPCs for each timeslot. The present claims use a single power command for the CCTrCH and an

interference measurement for each timeslot. Such an arrangement is not disclosed in Miya.

Endo is cited as disclosing the transmission of interference measurements. However, these interference measurements are not being used in any resemblance as to the manner recited in the claims. Since Miya uses multiple individual timeslot TPCs, there is no reason that an interference measurement would be used in addition to the multiple TPCs.

Accordingly, Applicants respectfully submit that the amended claims are allowable over the Miya and Endo combination.

Applicant: Zeira et al.
Application No.: 09/845,803

Conclusion

In view of the foregoing remarks, the Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully solicited.

Respectfully submitted,

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